

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD LOOS,

Plaintiff,

Index No.: CV 07-6723

**RESPONSE TO
NOTICE TO PRODUCE**

-against-

COMFORT INNS, INC. and CHOICE HOTELS
INTERNATIONAL, INC.,

Defendants.

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COMFORT INNS, INC. and CHOICE HOTELS
INTERNATIONAL, INC.,

Third-Party Plaintiffs,

-against-

KENNETH WEISS and RONDAVEL MANAGEMENT
CORPORATION.

Third-Party Defendants.

-----X

Defendant/Third-Party Plaintiff, PALISADES LODGING CORPORATION, trading as COMFORT INN and improperly sued herein as COMFORT INNS, INC., by and through their attorneys, the Law Offices of Donald L. Frum, as and for their Response to Plaintiff's NOTICE TO PRODUCE, respectfully sets forth as follows:

1. A copy of all written rules, policies and/or procedures regarding the distribution of room keys to guest and non-guests of the hotel.

RESPONSE: See Exhibit F annexed hereto.

2. Copies of all agreements and/or contracts between PALISADES LODGING CORPORATION, trading as COMFORT INNS, INC. and RONDAVEL MANAGEMENT CORPORATION.

RESPONSE: None.

3. Copies of all incident reports regarding incident between KENNETH WEISS and RICHARD LOOS, which took place on August 15, 2007.

RESPONSE: See Exhibits A and B annexed hereto.


4. Copies of all agreements and/or contracts between PALISADES LODGING CORPORATION, trading as COMFORT INNS, INC. and AUDITORS EXPRESS, INC.

RESPONSE: None, however, see Exhibit K annexed hereto.

Dated: Elmsford, New York
February 7, 2008

Yours, etc.

LAW OFFICE OF DONALD L. FRUM


By: Jan Sato, Esq.

Attorneys for Defendant

PALISADES LODGING CORPORATION

Trading as COMFORT INN improperly sued herein as
COMFORT INNS, INC.

565 Taxter Road-Suite 150

Elmsford, NY 10523

914-347-5522

To:

LAW OFFICES OF ELIOT F. BLOOM, P.C.

Attorneys for Plaintiff

RICHARD LOOS

114 Old Country Road, Suite 308

Mineola, New York 11501

(516) 739-5300

MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.

Attorneys for Defendant/Third-Party Plaintiff

CHOICE HOTELS INTERNATIONAL, INC.

530 Saw Mill River Road

Elmsford, New York 10523

(914) 345-3701

File No. 308.79853

CURAN, AHLERS, FIDEN & NORRIS LLP

William F. Costello (WC4152)

Attorneys for Third-Party Defendant

KENNETH WEISS

14 Mamaroneck Avenue

White Plains, NY 10601

(914) 428-3313

UNITED STATES DISTRICT COURT
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RICHARD LOOS,

Plaintiff,

- against -

COMFORT INNS, INC. and CHOICE HOTELS
INTERNATIONAL, INC.,

Defendants.
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COMFORT INNS, INC. and CHOICE HOTELS
INTERNATIONAL, INC.,

Third-Party Plaintiffs,

- against -

KENNETH WEISS and RONDAVEL MANAGEMENT
CORPORATION.

Third-Party Defendants.
-----X

Defendant/Third-Party Plaintiff, PALISADES LODGING CORPORATION, trading as COMFORT INN and improperly sued herein as COMFORT INNS, INC., by and through their attorneys, the Law Offices of Donald L. Frum, as and for their Response to Plaintiff's FIRST REQUEST FOR PRODUCTION AND INSPECTION OF DOCUMENTS BY PLAINTIFF RICHARD LOOS, respectfully sets forth as follows:

1. Any and all agreements, contracts and documents pertaining to the use of a third party, including Rondavel Management Corporation, for any operations or services at the Comfort Inn, located at 425 East Route 59, Nanuet, New York 10954.
RESPONSE: See Exhibits E and K annexed hereto.
2. Any land all memorandum, notes, documents, letters, statements, reports or any writings of any kind related to prior incidents, crimes, unusual incidents, accidents, assaults and any other occurrence that relates to the defendant Comfort Inns, Inc. for the premises located at 425 East Route 59, Nanuet, New York 10954, for a period of time five (5) years prior to the within incident of June 15, 2007.

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RESPONSE TO FIRST REQUEST
FOR PRODUCTION AND
INSPECTION OF DOCUMENTS
BY PLAINTIFF RICHARD LOOS
TO COMFORT INNS, INC.

RESPONSE: See Exhibits H, I, and J annexed hereto.

3. Any and all invoices, records, statements and documents regarding the providing of services to the plaintiff RICHARD LOOS.

RESPONSE: See Exhibits C, and D annexed hereto.

4. All memorandum and correspondence between the Defendants COMFORT and any third-party including other defendants and agents regarding the within matter.

RESPONSE: The answering defendant does not represent Comfort, however, see Exhibits D annexed hereto for relevant documents.

5. Any documents in the possession of the Defendant that relate to the management of the Defendant COMFORT INNS, INC., including policies, procedures and management guidelines.

RESPONSE: The answering defendant does not represent Comfort, however, see Exhibit E, F, and G annexed hereto.

6. Any and all job descriptions for Defendant COMFORT INNS, INC.' employee John Van Houten or any other front desk or security personnel.

RESPONSE: Upon information and belief, John Van Houten was never an employee of Palisades Hotel; Mr Van Houten was an employee of Auditors Express.

7. Correspondence, memorandum, reports and notes from the Defendant CHOICE HOTELS INTERNATIONAL, INC. to any third party related to this matter.

RESPONSE: The answering defendant does not represent Choice Hotels International Inc, however, see Exhibit D annexed hereto for relevant documents.

8. COMFORTS' by-laws and articles of incorporation.

RESPONSE: None, the answering defendant does not represent Comforts'.

9. All documents concerning the Defendant COMFORT, that pertains to security at any and all lodging places for franchises or subsidiaries under its control or ownership of COMFORT, to include reports, instructions, letters, memorandum and notes.

RESPONSE: The answering defendant does not represent Comfort, however, see Exhibits E, F, and G annexed hereto.

10. All documents concerning any reports of crimes, assaults, incidents and occurrences at the Defendant, COMFORT INN located at 425 East Route 59, Nanuet, New York, including incidents in rooms.

RESPONSE: See Exhibits A, B, H, I and J annexed hereto.

11. All documents concerning any litigation in which COMFORT has been named as a party.

RESPONSE: The answering defendant does not represent Comfort, however, see H, I, and J annexed hereto.

12. All documents that identify any and all employees or agents of COMFORT that worked on this matter or was involved and notified of this matter.

RESPONSE: The answering defendant does not represent Comfort, however, see Exhibits A and B annexed hereto.

13. All documents that relate to the Plaintiff's stay at the Defendant COMFORT.

RESPONSE: See Exhibits C and D annexed hereto.

14. Any report, memorandum or document from the Defendant CHOICE, or from any to the Defendant COMFORT.

RESPONSE: The answering defendant does not represent Comfort, however, see Exhibits A, B, D and F for relevant documents.

Dated: Elmsford, New York
February 7, 2008

Yours, etc.

LAW OFFICE OF DONALD L. FRUM


By: Jun Sato, Esq.

Attorneys for Defendant

PALISADES LODGING CORPORATION

Trading as COMFORT INN, INC. and improperly sued herein
as COMFORT INNS, INC.

565 Taxter Road-Suite 150

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To:

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